



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED**

H.C.P.[MD].No.835 of 2018

V.Marimuthu : Petitioner

Vs.

1. The Commissioner of Police,
Madurai City.

2. The Inspector of Police,
Thallakulam Police Station,
Madurai City.

3. G.Rajesh : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body of the petitioner's daughter - Abishna, D/o.V.Marimuthu, aged 22 years, before this Court and set her at liberty.

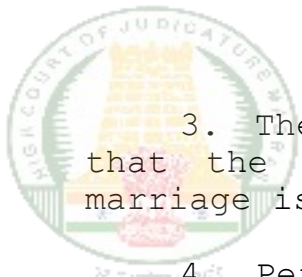
For Petitioner : Mr.N.Karthik Kanna
For Respondents 1&2 : Mr.K.Dinesh Babu
Additional Public Prosecutor
For Respondent No.3 : Mr.V.Manikandan

O R D E R

[Order of the Court was made by C.T.SELVAM, J.]

The present Habeas Corpus Petition has been filed by the father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the body of his daughter - Abishna, aged 22 years, before this Court and set her at liberty.

2. The detenu - Abishna, aged 22 years, has been produced by the second respondent police. The detenu informs of having married the third respondent.



3. The learned counsel appearing for the petitioner submits that the petitioner had earlier married another girl and such marriage is subsisting.

4. Per contra, the learned counsel appearing for the third respondent submits that the earlier marriage of the third respondent was dissolved on 31.03.2015 in H.M.O.P.No.380 of 2014, on the file of the Sub-Court, Melur, Madurai District.

5. The detenu, the daughter of the petitioner, informs that she is aware of such position. She further informs that she does not wish even to interact with the petitioner and his wife, the father and mother of the detenu, who are present in Court.

6. The petitioner states that he and his wife are under threat towards forcing them to part with properties in favour of the third respondent. It is open to the petitioner to prefer an appropriate complaint there regards as and when such threat arises and the police concerned shall act in keeping with the needs of the situation.

7. The Habeas Corpus Petition shall stand closed accordingly.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City.
2. The Inspector of Police,
Thallakulam Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.N.KARTHICK KANNA, ADVOCATE IN SR No. 71057

NB

TE/SKN-RSK/SAR-2 : 17/07/2018 : 2P/5C

ORDER MADE IN
H.C.P.[MD].No.835 of 2018
03.07.2018